

REMARKS

By this Amendment, no claims are canceled or amended, and no new claims are presented for examination. Claims 1-2 stand rejected for double patenting. Claims 3-7 stand allowed. As a result, claims 1-7 are pending in the application.

Double Patenting

Pursuant to paragraphs 1 and 2 of the above-referenced Office Action, claims 1-2 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-2 of U.S. Patent No. 6,758,600. See Office Action at page 2.

Applicants respectfully traverse the rejection. Submitted concurrently herewith is a terminal disclaimer of the terminal part of the statutory term of any patent granted on the present application which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,758,600. The terminal disclaimer is signed by the undersigned attorney of record and payment of the terminal disclaimer fee required under 35 U.S.C. 1.20(d) from Deposit Account No. 19-2167 is authorized. Accordingly, the terminal disclaimer obviates the double patenting rejection, and therefore, Applicants respectfully request the Examiner to withdraw the rejection of claims 1-2 under the judicially created doctrine of obviousness-type double patenting.

Allowable Subject Matter

Pursuant to paragraph 3 of the Office Action, claims 3-7 stand allowed. Applicants gratefully acknowledge the Examiner's indication of the allowability of claims 3-7 as originally filed.

CONCLUSION

In view of the foregoing remarks, Applicants respectfully request the Examiner to withdraw the rejection to the claims and to reconsider the application. This Amendment is fully responsive to the Office Action and places the application in condition for immediate allowance. Accordingly, Applicants respectfully request the Examiner to issue a Notice of Allowability for the pending claims 1-7. Applicants encourage the Examiner to contact the undersigned directly to further the prosecution of any remaining issues, and thereby expedite allowance of the application.

This Amendment does not result in more independent or total claims than paid for previously. Accordingly, **no fee for excess claims is believed to be due.** The Examiner is hereby authorized to any fee due in connection with the filing of this response, including any excess claims fee, to Deposit Account No. 19-2167. If a fee is required for an extension of time under 37 C.F.R. §1.136 not already accounted for, such an extension is requested and the fee should likewise be charged to Deposit Account No. 19-2167. Any overpayment should be credited to Deposit Account No. 19-2167.

Respectfully submitted,



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Dated: November 11, 2004